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**FACSIMILE TRANSMITTAL**

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**TO:****FROM:****Name:** Office of Publications**Name:** Thomas H. Martin**Firm:** U.S. Patent & Trademark Office**Phone No.:** 330-877-2277**Fax No.:** 703-308-6672**No. of Pages (including this):** 9**Subject:** Request for Reconsideration of Request for  
Certificate of Correction**Date:** August 19, 2004

U.S. Patent No. 6,620,163

Issued: September 16, 2003

Gary Karlin Michelson, M.D.

ANTERIOR CERVICAL PLATING SYSTEM AND  
BONE SCREW

Attorney Docket No.: 101.0056-07000

Customer No. 22882

**Confirmation Copy to Follow: No**

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**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Request for Reconsideration of Request for Certificate of Correction with copy of decision dated January 21, 2004, one sheet of Form PTO-1050 (in duplicate) and 3 sheets of supporting documents are being facsimile transmitted to the U.S. Patent and Trademark Office on August 19, 2004.

  
Sandra L. Blackmon

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PATENT  
Attorney Docket No. 101.0056-07000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of: )  
Gary Karlin Michelson, M.D. )  
Patent No. 6,620,163 ) (Application No.: 09/618,036)  
Issue Date: September 16, 2003 ) (Filed: July 17, 2000)  
For: ANTERIOR CERVICAL PLATING )  
SYSTEM AND BONE SCREW )

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR RECONSIDERATION OF**  
**REQUEST FOR CERTIFICATE OF CORRECTION**

Applicant respectfully requests reconsideration of the decision dated January 21, 2004 (copy attached) denying portions of Applicant's Request for a Certificate of Correction. Two (2) copies of PTO Form-1050 (which include all of the requested corrections as filed on September 22, 2003) are appended. The complete Certificate of Correction involves one (1) page.

The mistakes in question (i.e., columns 42, 43, & 44 at lines 16, 12 & 35, and 17, respectively) as identified in the appended Form occurred through the fault of the Patent Office, as clearly disclosed by the records of the application which matured into this patent, and as evidenced in the attached copies of the following documents:

1. Page 22 of Amendment dated January 8, 2003, showing the correct dependency of issued claim 207 (pending claim 746);
2. Page 23 of Amendment dated January 8, 2003, showing the correct dependency of issued claim 219 (pending claim 757); and
3. Page 24 of Amendment dated January 8, 2003, showing the correct dependency of issued claims 226 and 233 (pending claims 764 and 771, respectively).

Issuance of a Certificate of Correction containing all of the previously approved corrections noted in the decision dated January 21, 2004 and requested corrections identified above and in the appended PTO Form-1050 is earnestly requested.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: August 19, 2004

By: 

Thomas H. Martin

Registration No. 34,383

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 26 2004

Patent No. : 6620163  
Patent Issued : 09/16/03  
Docket No. : 101.0056-07000

**MARTIN & FERRARO LLP**

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322.

Columns 42,43, &44, line 16, 12&35, &17, is printed in accordance with the record.

**"Therefore, no correction(s) is in order here under United States Codes (U.S.C.) 254 and the Code of Federal Regulation (C.F.R.) 1322."**

In view of the foregoing, your request in this matter is hereby denied.

**A certificate of correction will be issued to correct the remaining errors noted in your request.**

Lamonte M. Newsome  
For Cecelia Newman, Supervisor  
Decisions & Certificates  
Of Correction Branch  
(703) 305-8309 or (703)-305-5358

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**HARTVILLE OH 44632**

LMN

## UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO: 6,620,163 *B1*  
DATED: September 16, 2003  
INVENTOR: Gary Karlin Michelson, M.D.

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 31

Lines 28 and 33, change "11" to -- 1 --.

Column 32

Line 14, before "shaft" (first occurrence) insert -- a --.

Column 33

Line 5, change "thread" to -- thread, --.

Column 35

Line 35, change "Plating" to -- A plating --.

Column 37

Line 12, change "Plating" to -- A plating --; and  
Line 26, change "Insertion" to -- insertion --.

Column 41

Line 54, change "186" to -- 196 --.

Column 42

Line 16, change "202" to -- 186 --.

Column 43

Line 12, change "215" to -- 218 --; and  
Line 35, change "215" to -- 225 --.

Column 44

Line 17, change "215" to -- 232 --.

Mailing Address of Sender:  
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PATENT NO. 6,620,163  
No. of add'l copies  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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DATED: September 16, 2003  
INVENTOR: Gary Karlin Michelson, M.D.

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Line 35, change "215" to -- 225 --.

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Line 17, change "215" to -- 232 --.

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PATENT NO. 6,620,163  
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733. The plating system of claim 545, wherein said leading end of said screw includes a tip that is at least one of pointed, tapered, and coned.

734. The plating system of claim 545, wherein said leading end of said screw includes a tip that is configured to be self-tapping.

735. The plating system of claim 734, wherein said tip includes at least one of a pointed tip, cutting flutes, and decreased thread height.

736. The plating system of claim 545, wherein said leading end of said screw has a tip with cutting flutes that interrupt at least one turn of said thread proximate said tip.

737. The plating system of claim 545, wherein said outer diameter of said thread diminishes proximate said leading end.

738. The plating system of claim 545, wherein said thread has a maximum outer diameter in the range of 3.6 mm to 5.2 mm.

739. The plating system of claim 545, wherein said thread has a pitch in the range of 1.25 to 2.5 mm.

740. The plating system of claim 545, wherein said screw has an overall length in the range of 10 mm to 22 mm.

741. The plating system of claim 545, further comprising a head adapted to block further forward motion of said screw through said bone screw receiving hole of said plate.

742. The plating system of claim 741, wherein said head has a maximum root diameter no greater than the maximum root diameter of said shaft.

743. The plating system of claim 741, wherein said head has a top surface that is at least in part curved.

744. The plating system of claim 741, wherein said head has a length parallel to the mid-longitudinal axis of said screw in the range of 1 mm to 3 mm.

745. The plating system of claim 741, wherein said head has a diameter in the range of 3.8 mm to 6 mm.

746. The plating system of claim 545, wherein at least a portion of said plating system comprises at least in part of one of bone and bone growth promoting material.

747. The plating system of claim 746, wherein said bone growth promoting material is selected from one of bone, bone derived products, bone morphogenetic protein, and hydroxyapatite.

748. The plating system of claim 545, in combination with a bone growth promoting material.

749. The plating system of claim 748, wherein said bone growth promoting material is selected from one of bone, bone derived products, bone morphogenetic protein, and hydroxyapatite.

750. The plating system of claim 545, wherein at least a portion of said plating system is treated with a bone growth promoting substance.

751. The plating system of claim 545, wherein at least a portion of said plating system is at least in part resorbable.

752. The plating system of claim 545, wherein at least a portion of said plating system is formed of a porous material.

753. The plating system of claim 545, wherein at least a portion of said plating system is treated to promote bone ingrowth between said plate and the adjacent vertebral bodies.

754. The plating system of claim 546, wherein said root diameter of said shaft is curved along at least a portion of the length of said shaft in a direction between said head and said tip along the longitudinal axis of said shaft.

755. The plating system of claim 754, wherein said root diameter of said shaft is at least a portion of a concave curve.

756. The plating system of claim 546, wherein said root diameter increases along a portion of said shaft in a direction from said tip toward said head of said screw.

757. The plating system of claim 756, wherein the rate of increase of said root diameter is greater proximate said head of said screw.

758. The plating system of claim 546, wherein said shaft has a first shaft portion proximate said tip and a second shaft portion proximate said head, said second shaft portion having a generally circular cross section.



759. The plating system of claim 546, wherein said shaft has a first shaft portion proximate said tip and a second shaft portion proximate said head, said second shaft portion being generally conical.
760. The plating system of claim 546, wherein said shaft has a first shaft portion proximate said tip and a second shaft portion proximate said head, said first shaft portion having a generally circular cross section.
761. The plating system of claim 546, wherein said shaft has a first shaft portion proximate said tip and a second shaft portion proximate said head, said first shaft portion being generally cylindrical.
762. The plating system of claim 546, wherein said tip is at least one of pointed, tapered, and coned.
763. The plating system of claim 546, wherein said tip is configured to be self-tapping.
764. The plating system of claim 763, wherein said tip includes at least one of a pointed tip, cutting flutes, and decreased thread height.
765. The plating system of claim 546, wherein said tip includes cutting flutes that interrupt at least one turn of said thread proximate said tip.
766. The plating system of claim 546, wherein said outer diameter of said thread diminishes proximate said tip.
767. The plating system of claim 546, wherein said thread has a maximum outer diameter in the range of 3.6 mm to 5.2 mm.
768. The plating system of claim 546, wherein said head has a maximum root diameter no greater than the maximum root diameter of said shaft.
769. The plating system of claim 546, wherein said head has a top surface that is at least in part curved.
770. The plating system of claim 546, wherein at least a portion of said plating system comprises at least in part of one of bone and bone growth promoting material.
771. The plating system of claim 770, wherein said bone growth promoting material is selected from one of bone, bone derived products, bone morphogenetic protein, and hydroxyapatite.
772. The plating system of claim 546, in combination with a bone growth promoting material.